

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

| | | |
|---------------------------|---|-------------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | CR. NO. 2:05-CR-171-LSC |
| |) | |
| CALVIN ARTIS STEWART, JR. |) | |

O R D E R

Upon consideration of the Motion for Leave to Dismiss Count Three of the Indictment as to Calvin Artis Stewart, Jr., heretofore filed in the above styled cause, and for good cause shown, the Court is of the opinion that the motion should be and the same hereby is granted. It is, therefore, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that said motion be and the same is hereby granted.

DONE this ____ day of July, 2006.

L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE

DISMISSAL OF COUNT THREE OF INDICTMENT

Comes now the United States of America with leave of the Court first had and obtained and dismisses Count Three of the Indictment heretofore filed in the above styled cause as to Calvin Artis Stewart, Jr.

Respectfully submitted,

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

/s/ Kent B. Brunson
KENT B. BRUNSON
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, Alabama 36104
Telephone: (334) 223-7280
Fax: (334) 223-7135
kent.brunson@usdoj.gov